IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE PIUS C.KURIAKOSE

MONDAY, THE 13TH AUGUST 2007 / 22ND SRAVANA 1929

WP(C).No. 14063 of 2005(Y)

IA.793/2005 of DISTRICT COURT, THALASSERY
.....

PETITIONER:

KAUNDERI BEEFATHU,
RESIDING NEAR MERLY ROAD, CHUNGAM,
PAPPINISSERY P.O., KANNUR DIST.

BY ADV. SRI.A.K.ABDUL AZEEZ

RESPONDENT:

P.THANKAMANI, W/O. K.RAJAN,
AGED 55 YEARS, PATTERI HOUSE, MERLY ROAD,
CHUNGAM, PAPPINISSERY, KANNUR DIST.

BY

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 13/08/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WPC.NO.14063/2005 Y

APPENDIX

PETITIONER'S EXHIBITS:

EXT.P1: **COPY OF THE PERMISSION FOR RECEIPT.**

EXT.P2: **COPY OF THE INJUNCTION ORDER GRANTED AGAINST THE PETITIONER DD. 19/04/2005.**

EXT.P3: **COPY OF THE AFFIDAVIT FILED BEFORE THE HON'BLE MUNSIFF'S COURT, KANNUR.**

EXT.P4: **COPY OF THE SUMMONS DTD. 19/04/2005.**

/TRUE COPY/

P.A.TO JUDGE

KSS

PIUS C. KURIAKOSE, J.

W.P.(C) NO. 14063 of 2005

Dated this the 13th day of August , 2007

JUDGMENT

No representation for the petitioner. Under challenge in this writ petition under Article 227 is Ext.P2 order of temporary injunction. It is seen that though interim stay of Ext.P2 was applied for, this court became inclined to order only notice. Though notice was ordered way back in 2005, the petitioner has not remitted process so far.

2. Challenge against Ext.P2 fails. However, it is made clear that remedies which are available to the petitioner under the Code of Civil Procedure against Ext.P2 are left open.

PIUS C. KURIAKOSE,
JUDGE.

Dpk